

Guide for Review of Real Property Acquisition			
Name of Program Participant:			
Staff Consulted:			
Program and Project No.:		Parcel No.:	
		Address of Acquired Property:	
Name(s) of Reviewer(s)		Date	

NOTE: All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, HUD must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements, but are included to assist the reviewer in understanding the participant's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding**."

Instructions: This Exhibit is designed to monitor compliance with statutory and regulatory requirements governing the acquisition of real property under HUD-assisted projects. The guidance on sampling in the introduction to this Chapter is to be followed but, generally, the acquisition sample shall be based on cases in which settlement has been completed. If necessary to provide a representative sample of acquisition activities, the reviewer may include incomplete transactions in which negotiations have been initiated. The sample of cases should be representative (e.g., residential, commercial and industrial).

Questions:

1.

a.	Property Use: (Check one)	<input type="checkbox"/> Single Family Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Nonprofit Organization <input type="checkbox"/> Multifamily Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Other _____
b.	Owner (check here if occupant): _____ Tenants: _____ Current Address of Owner: _____ Home/Business Telephone Numbers: _____	
Describe Basis for Conclusion:		

2.

What is the date of the official determination to acquire the real property?
Describe Basis for Conclusion:

3.

What is the date the owner was notified of the program participant's interest in acquiring the property?
Describe Basis for Conclusion:

4.

Was the owner provided written information explaining the basic URA acquisition protections at 49 CFR 24.102? (If yes, include date information was provided in response below.)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Describe Basis for Conclusion:		

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Relocation and Real Property Acquisition

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5.

Was the owner invited to accompany each appraiser on his/her inspection of the property? [49 CFR 24.102(c)(1)]	<input style="width: 30px; height: 20px;" type="checkbox"/> Yes	<input style="width: 30px; height: 20px;" type="checkbox"/> No
Describe Basis for Conclusion: <div style="border: 1px solid black; height: 40px; margin-top: 5px;"></div>		

6.

What are the dates and dollar amounts of the following:		
<input type="checkbox"/> 1 st appraisal	Date: _____	Amount: \$ _____
<input type="checkbox"/> 2 nd appraisal	Date: _____	Amount: \$ _____
<input type="checkbox"/> 3 rd appraisal	Date: _____	Amount: \$ _____
<input type="checkbox"/> Review appraisal	Date: _____	Amount: \$ _____
<input type="checkbox"/> Just compensation determination	Date: _____	Amount: \$ _____
<input type="checkbox"/> Initial written offer	Date: _____	Amount: \$ _____
<input type="checkbox"/> Acquisition price	Date: _____	Amount: \$ _____
Describe Basis for Conclusion: <div style="border: 1px solid black; height: 80px; margin-top: 5px;"></div>		

7.

Did the appraiser determine the highest and best use of the property? (See paragraph 4.c of Attachment 3 to Chapter 25, Guidelines for HUD Monitoring Review of Appraisals) [49 CFR 24.103(a)(2)(i)]	<input style="width: 30px; height: 20px;" type="checkbox"/> Yes	<input style="width: 30px; height: 20px;" type="checkbox"/> No
Describe Basis for Conclusion: <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div>		

8.

Did the appraisal(s) contain information on comparable sales and/or other documentation used to determine fair market value? [49 CFR 24.103(a)(2)(iii)]	<input style="width: 30px; height: 20px;" type="checkbox"/> Yes	<input style="width: 30px; height: 20px;" type="checkbox"/> No
Describe Basis for Conclusion: <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div>		

9.

Do each appraiser's standards and practices/techniques reflect established Federal and federally assisted program appraisal practices, as applicable? (See paragraphs 3 and 4 of Attachment 2 to Chapter 25, Guidelines for HUD Monitoring Review of Appraisals) [49 CFR 24.103(a)(2)(ii)]	<input type="checkbox"/> <input type="checkbox"/> Yes No
Describe Basis for Conclusion: 	

10.

Is the program participant's determination of just compensation acceptable (i.e., the amount is not less than the approved appraisal of the market value of the property, taking into account the value of allowable damages or benefits to any remaining property)? (Explain "yes" or "no" answer.) [49 CFR 24.102(d)]	<input type="checkbox"/> <input type="checkbox"/> Yes No
Describe Basis for Conclusion: 	

11.

Were tenant-owned improvements considered in the appraisal(s) of fair market value and determination of just compensation? [49 CFR 24.105(a)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion: 	

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12.

Does the file contain review appraisal(s)? [49 CFR 24.9; 49 CFR 24.104]	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Describe Basis for Conclusion: 			

13.

Did the program participant provide the owner a summary statement of the basis for its determination of just compensation? [49 CFR 24.102(e)(1)]	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Describe Basis for Conclusion: 		

14.

What is the date the owner executed the negotiated purchase agreement?
Describe Basis for Conclusion:

15.

Were condemnation proceedings instituted? (If “yes,” provide date in response below.)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Describe Basis for Conclusion: 			

16.

If property was condemned, what is the date the program participant deposited the fair market value of the property with the Court?

Describe Basis for Conclusion:

17.

What is the date title vested in the program participant?

Describe Basis for Conclusion:

18.

Has the owner received the purchase price proceeds? (If “yes,” include date in response below).

☐

Yes

☐

No

Describe Basis for Conclusion:

19.

Did the program participant pay all required settlement costs? (If not, explain in response below).

☐

Yes

☐

No

Describe Basis for Conclusion:

a. Was there a written appeal or complaint filed by the owner? [49 CFR 24.10]	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
b. If the answer to a, above is “yes,” was the appeal or complaint to the program participant or with HUD?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
c. How was the appeal or complaint handled?			
Describe Basis for Conclusion:			